

How to Use Statewide Contract PRF57, Enterprise Temporary Help Services; MHEC Contract #MC15-J03

Contract #: PRF57 (MHEC Contract #MC15-J03)

MMARS #: PRF57*

Contract Duration: 09/01/2014 to 8/31/2017
of 1 year each through 8/31/19

Options to renew: Two options

Contract Manager: Sorraia Tavares - 617-720-3304 Sorraia.Tavares@state.ma.us

This contract contains: Small Business Purchasing Program (SBPP), Supplier Diversity Office (SDO) Businesses

Last change date: 9/28/2015

Contract Summary

This is a solution-based Statewide Contract in conjunction with Massachusetts Higher Education Consortium (MHEC) contract MC15-J03 for **Temporary Help Services** through a single vendor (VSP) sourcing model. The prime vendor, TRC will be responsible for fulfilling the State's temporary help needs through either its own pool of temporary workers or through its subcontractors.

Temporary Help Service Categories-PRF57 job classifications are organized into two service categories:

Main Service Category

Administrative Support
Customer Service
Data Entry Operator
Paralegal
Receptionist

Other Service Category

Accountant Position
Accountant Support
Legal Administrative Asst.
Medical Administrative Asst.
Light Labor
Light Industrial Labor
HR/ Payroll Assistant
Graphic Designer
Event Support
Telephonic Operator

Benefits and Cost Savings

- Reduced mark-up over costs
- Solution-based contract through sub-agreements and Statements of Work
- Departments Rates may be negotiated based on candidate's experience
- Rates are inclusive of vendor costs associated with providing candidates
- Rates are inclusive of all vendor travel considerations and other ancillary charges

- Reimbursable expenses, such as mileage, travel, meals and lodging directly related to the temporary worker's assignment are allowed only with prior authorization from the hiring entity.
- Project based pricing may be proposed instead of a maximum billing rate (see pricing)
- Centralized Order Management for reduced costs – Single point of contact
- Electronic Timecards and Consolidated Billing that saves time and expenses
- Dedicated web portal for PRF57 and MHEC users tracking all Statement of Work activities

Who Can Use This Contract?

Applicable Procurement Law: MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00

Eligible Entities:

01. Cities, towns, districts, counties and other political subdivisions
02. Executive, Legislative and Judicial Branches, including all Departments and elected offices therein;
03. Independent public authorities, commissions and quasi-public agencies
04. Local public libraries, public school districts and charter schools;
05. Public Hospitals, owned by the Commonwealth;
06. Public institutions of high education
07. Public purchasing cooperatives;
08. Non-profit, UFR-certified organizations that are doing business with the Commonwealth;
09. Other states and territories with no prior approval by the State Purchasing Agent required; and
10. Other entities when designated in writing by the State Purchasing Agent.

Pricing and Purchase Options

Purchase Options: Purchases made through this contract will be direct outright “purchase” engagements.

Compensation Structure/Pricing & Expenses:

- **Orders place through this contract must be recorded in COMMBUYS- Please see page 3 for instructions on how to purchase from PRF57 MBPO through COMMBUYS.**
- Must submit Statement of Work (SOW) through [The Resource Connection's dedicated Web Portal](#).
- Must complete and execute a sub-agreement with The Resource Connection (TRC) as your SOW before the hiring engagement begins.
- Instructions on how to complete the SOW can be found in the attachment tab of the MBPO in COMMBUYS. Entities are asked to provide a thorough job description, skills required, qualifications, and geographic location when requesting temporary staff. This will allow an entity to best discuss and negotiate a fair and reasonable rate with TRC for the temporary help position being sought.
- All temporary help requests and SOW agreements can be tracked through TRC's Web Portal and through COMMBUYS. TRC has an applicant tracking system to track all assignments including start and end dates. Therefore, a report can be requested from TRC to identify the duration of each temporary employee.
- Use the Rate Card posted under the attachment tab in COMMBUYS. PRF57 rate card only lists hourly Ceiling Pay Rates and Bill Rates. Discuss your needs thoroughly with TRC for the right candidate having the right level of experience at the best value.
- Entities may request a project based price instead of the maximum billing rate that will be based on an hourly rate and include all ancillary services in the project price.
- Hiring Entities should never pay more than the maximum markup rate of 38.5% above the direct labor (pay rate).
- Secure references as appropriate or include this in the SOW.
- Invoices are required to be submitted within 30-days.
- There are no additional charges associated with the vendors work, e.g., travel, copying, printing, communications, overhead rates or other ancillary charges.

- 24/7 On Demand access to request services are on TRC's dedicated website www.resource-connection.com.
- All requests for services are channeled through TRC with TRC engaging their subcontractors in a VSP model under PRF57.
- Categories for personnel are on the TRC [Website](#) through the PRF57 link.
- Departments can use encumbrances as a tracking process against their purchase order.
- Departments must adhere to the new Commonwealth HRD Policy effective 1/1/2014 as listed at the end of this Contract User Guide.

How to Purchase from PRF57 MBPO through COMMBUYS

- Submit and approve your temporary help request through TRC's Web Portal. For instructions on how to do this, please review the PRF57 SOW Instructions and contact The Resource Connection. SOW instructions can be found by navigating the MBPO's attachment tab in COMMBUYS. Awarded vendor contact information is below.

Once Logged into COMMBUYS, select DOCUMENTS > REQUISITIONS > NEW

- **General Tab**
 - In the drop-down menu for **Requisition Type**, be sure to select "Release."
- **Items Tab**
 - Select **Search Items** and click the + to open **Advance Search** fields Next type "PRF57" into the **Description** field and Find It! (alternatively you can also search by Vendor Name)
 - Review the **Item Description** to identify the temporary help job category you've requested through TRC vendor Web Portal
 - Select and add **Quantity** for the temporary help job category.
 - Click **Add to Req. & Exit** or **Add to Req. & Next** if you need to add more items.
 - For each line item added to the Requisition you will need to add Catalog Price/ Unit Cost. To do so click **Enter Info**. Catalog Price/ Unit Cost should be the agreed upon Bill Rate for the position.
- **In the Attachment Tab**, you will need to attach the following:
 - Statement of Work from The Resource Connection Portal
 - Candidate (s) Resume (This information is only viewed by you and the vendor)
 - Any other document (s) at your discretion
- **Summary Tab**
 - Review and Send for Approval
 - Once the Requisition has been approved, the user can then convert to PO and send the order to the vendor.

A Partial Receipt is required in order for buyers to record invoices received from TRC. Buyers must follow instructions provided below on how to complete a Partial Receipt on Sent POs in COMMBUYS.

- **Complete a Partial Receipt on your sent PO**
 - Your PO must be in "sent status" before a partial receipt can be completed.
 - From the Navigation Bar, select the **Documents dropdown tab**, then click on **Receipts> New**
 - In the PO Search Box, locate the PO by Purchase Order #, Release # or Buyer and **Click Find It**.
 - Select the required PO by clicking the corresponding radio button.

- Create the Receipt and **Save and Continue**
- **Submit for Approval**
- **Click Ok** to confirm submit for approval
- **Save and Continue**
- Your approved receipt will be placed in the **Approval for Invoice status** only for the quantities received.

Additional Information

NEW Important Contract Information:

Commonwealth HRD Temporary Worker Policy effective 1/1/2014

Scope

- For the purposes of this policy, temporary employment is considered to be separate and distinct from contract and seasonal employment.
- This policy applies only to positions that fall within the Office of the State Comptroller object code J46. It does not apply to temporary workers who may be hired to perform information technology work. It is recommended that state agencies consult with ITD when hiring temporary workers to perform IT duties.

Definition

- Temporary workers are defined as individuals who are engaged through a third-party vendor to fill positions that are temporary in nature. Temporary workers should not work more than 52 weeks without approval from the Secretariat-level Human Resources Director.
- Contract employees are individuals who do not occupy state positions, nor contribute to the State Retirement System or group insurance programs, but who must contribute to the Alternate Retirement System. Contract employees have employee-employer relationships pursuant to individual contracts with the Commonwealth. Contract employees are paid through the payroll system, have tax withholdings, and other deductions.¹

Process for Hiring Temporary Workers

- Hiring of temporary workers is subject to Operational Services Division (OSD) requirements. Among other things, OSD requirements state that Executive Departments must use statewide contracts, if available, for commodities and services unless there is a prior written approval from the State Purchasing Agent. The process that agencies must follow when requesting this approval is explained in OSD Policy Guidance 05-19, Procurement and Contract Management Policy Changes (6/2/05). Please see [Procurement Information Center](#) for OSD Policy.

Allowable Reasons to Hire Temporary Workers

- Acceptable reasons to hire a temporary worker may include the following:
 - To assume the job duties of an employee who is on leave due to Family and Medical Leave Act (FMLA) leave or any other period of extended leave;
 - To provide continuity of services during an emergency situation;
 - To work on a project or task that is anticipated to be for a defined period of time (not to exceed 52 weeks without the approval of the Secretariat-level Human Resources Director) where it is impracticable to hire a regular state employee. If during the course of a temporary project or task, it becomes clear that the project or task is more permanent in nature, the agency must take

¹ Source: Office of the Comptroller, MMARS Policy, Employee-Employer Relationship: Types of Employment (Rev. 11/1/06).

action to hire permanent employees to work on the project consistent with ANF budget and policy guidelines.

Compensation

- Temporary workers shall be compensated by the third-party vendor and shall not be eligible to receive benefits provided by the state to permanent state employees (e.g., health insurance, retirement benefits, etc.)

Cannot Hire Temporary Workers to Circumvent Other Rules, Policies, and Laws

- An agency may not hire a temporary worker as a substitute for or to avoid filling a vacant position that would otherwise be filled by a permanent hire or to circumvent other rules, hiring caps, or policies that govern hiring Commonwealth employees or contracts staff.
- Temporary workers may be hired on a short-term basis for a period not to exceed 52 weeks without approval from the Secretariat-level Human Resources Director or his /her designee and/or Labor Relations personnel or other appropriate reviewer designated by the agency.
- Secretariat-level Human Resources Directors or their designees shall conduct an annual review of all temporary worker appointments in agencies within their Secretariat. When an agency has the need to employ a temporary worker for more than 52 weeks, the Secretariat-level Human Resources Director or his/her designee may approve the extension.
- If an agency has hired temporary workers to work on projects funded by capital funds or federal funds which restrict the hiring of full-time, permanent employees, a notation should be recorded in the agency's internal files reflecting this to be the reason for the hiring of any temporary workers.
- HRD reserves the right to audit agency's use of temporary workers at any time. Agencies not in compliance with this policy will be notified and must become compliant immediately.
- This policy is not intended to supplant any existing Commonwealth policies governing the hiring of contract and/or seasonal employees.

Questions & Answers

Question: If an agency hires a temporary worker for a three (3) week project and, at the conclusion of the project, wishes to retain the temporary employee for another four (4) week project, how does that get counted towards the 52 week period under the policy?

Answer: The 52 week temporary employment period is intended to be project-specific rather than individual specific. If Temporary Project #1 is completed after three (3) weeks and the agency wishes to hire a temporary employee for Temporary Project #2, then a new 52 week period would apply to Temporary Project #2 (even if it hires the same temporary employee who worked on Temporary Project #1).

Question: What if an agency has hired a temporary worker to work on a task not to exceed 52 weeks and the temporary worker leaves because s/he has found permanent employment elsewhere? If the temp agency sends a new employee to complete the task, does that start a new 52 week period?

Answer: As previously indicated, the 52 week temporary employment period is intended to be project or task-specific. So, if one temporary worker leaves before the project or task is completed and another temporary worker is hired to complete the project or task, it will all count towards the same 52 week maximum.

Question: Can an agency fill a particular position (e.g., receptionist) by hiring a different temporary worker every 52 weeks year after year?

Answer: No. Under the Temporary Worker Policy, a temporary worker may not be hired as a substitute for or to avoid filling a vacant position that would otherwise be filled by a permanent employee. Temporary workers are only intended to fill staffing needs that are for a specified duration. If an agency determines that its particular staffing need is continuous or cyclical in nature, then it should consider hiring a permanent or seasonal employee consistent with ANF budget and policy guidelines. See new HR Policy enclosed.

Question: What if the particular assignment is temporary but the agency knows from the outset that the project will exceed 52 weeks?

Answer: If the agency has determined that it cannot fill the position with a contract employee, then it may hire a temporary worker and, at the end of the 52 week temporary employment period, extend the temporary worker as necessary after approval by the Secretariat-level Human Resource Director or his/her designee.

Question: What if an agency realizes that the need for a temporary worker, originally intended to be less than 52 weeks, will now be greater than 52 weeks?

Answer: The agency must file with their Secretariat-level Human Resources Director a request to extend the services of a temporary worker beyond the 52 week period at least 45 days prior to the end of the 52 week period.

Question: Can an agency hire a temporary worker into a permanent position?

Answer: Any permanent hires must be done consistent with existing budget, human resource and policy guidelines. In addition, the agency must ensure that hiring the temporary worker into a permanent position would not violate any provisions of the temporary help contract used to secure the services of the temporary worker.

Question: Can a temporary worker supervise the work of a regular, permanent employee?

Answer: No.

Vendor List and Contract Information

Refer to COMMBUYS (www.COMMBUYS.com) website, click on “Advanced Search” then search by “Document Type,” select “Contract/ Blankets,” type in “PRF57” in the “Contract/ Blankets Description” search field to locate the appropriate Master Blanket Purchase Order (MBPO) for the **Awarded Vendor**:

- **The Resource Connection (TRC),** staff@resource-connection.com
 - a. **Contract Manager:** Janet Santa Anna, 978-777-9333 or 800-649-5228
 - b. **Project Manager:** Peter Konrad
 - c. **Staffing Manager:** Taisha Salcedo

With over 25 years’ experience, TRC will provide the majority of temporary help services. Through strategic alliances with a team of subcontractors, listed below, TRC will be providing Temporary Help Services to the Commonwealth and MHEC. Four of the subcontractors are SDO Certified women owned businesses and TRC has geographic coverage throughout New England with this well experienced team.

Strategic Alliance Team / Subcontractors:

TRC will provide Temporary Help Services and will utilize its subcontractors to provide the following services:

- **ACE Employment** will provide Temporary Help Services
- **Johnson & Hill Staffing SDO/WBE** will provide Temporary Help Services
- **KNF&T Staffing Resources SDO/WBE** will provide Temporary Help Services
- **Travis Associates Inc., dba Travis Personnel SDO/WBE** will provide Temporary Help Services
- **R.A.D. Employment Services SDO/WBE** will provide Temporary Help Services

Contract User Guide
Statement of Work (SOW) Instructions
Rate Card
Request for Response (RFR)

“Attachment Tab” in COMMBUYS
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Strategic Sourcing Services Team Members

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